

MINUTES OF REGULAR MEETING HELD JULY 14, 2015

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, July 14, 2015 at 8:00 p.m.

Mayor Skibitsky made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 16, 2014. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, AND THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Skibitsky, Council Members, Arena, Neylan, LoGrippo, Foerst, Della Fera, Kimmins, Oliveira, Loughlin

ABSENT:

Invocation was given by Councilman Loughlin

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

TOWN OF WESTFIELD INVITATION TO BID JULY 14, 2015

2015 IMPROVEMENT OF LAWRENCE AVENUE

The bids as follows were received, read and referred to the Town Engineer:

<u>BIDDER</u>	<u>AMOUNT</u>
Fischer Contracting Inc.	\$380,730.10
Excavating & Paving	
10 Short Hills Lane	
Scotch Plains, New Jersey 07076	
P&A Construction Inc.	\$428,810.70
PO Box 28	
Somerville, New Jersey 07067	

TOWN OF WESTFIELD
INVITATION TO BID
JULY 14, 2015

**2015 TOWNWIDE THERMOPLASTIC STRIPING
IN THE TOWN OF WESTFIELD, NEW JERSEY**

The bids as follows were received, read and referred to the Town Engineer:

<u>BIDDER</u>	<u>AMOUNT</u>
Dan Swayze & Son Inc.	\$153,100.00
2351 Waldheim Avenue	
Scotch Plains, NJ 07076	
Denville Line Painting	\$207,600.00
2 Green Pond Road	
Rockaway, NJ 07866	

TOWN OF WESTFIELD
INVITATION TO BID
JULY 14, 2015

The bids as follows were received, read and referred to the Town Clerk:

LEASE OF REAL PROPERTY OWNED BY THE TOWN OF WESTFIELD, NEW JERSEY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A SMALL NETWORK NODE WIRELESS COMMUNICATIONS FACILITY

<u>BIDDER</u>	<u>AMOUNT</u>
Verizon Wireless	\$8,000.00/yr.
141 Industrial Parkway	
Branchburg, New Jersey 08876	

MINUTES

On a motion by Councilwoman Kimmins, seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Meeting held June 9, 2015 with Council Members Arena and Oliveira abstaining.

On a motion by Councilwoman Neylan, seconded by Councilwoman Kimmins Council approved the Minutes of the Conference Session held June 9, 2015 with Council Members Arena and Oliveira abstaining.

On a motion by Councilman Loughlin, seconded by Councilman Oliveira, Council approved the Minutes of the Town Council Meeting held June 23, 2015 with Council Members Arena and Kimmins abstaining.

On a motion by Councilwoman Neylan, seconded by Councilman LoGrippe Council approved the Minutes of the Conference Session held June 23, 2015 with Council Members Arena and Kimmins abstaining.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

BILLS AND CLAIMS

Introduced by Councilman Della Fera, seconded by Councilman LoGrippe and adopted with Councilman Loughlin abstaining on Loughlin Law Firm.

RESOLVED that the bills and claims in the amount of \$636,167.52 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:**Finance Policy Committee**

The following resolutions, introduced by Councilman Della Fera, Chairman of the Finance Policy Committee, seconded by Councilman Arena were unanimously adopted.

(202) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$56.40 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of June 2015.

(203) RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for overpayment of an extra duty assignment to the Westfield Police Department.

Black Rock	\$264.00
Enterprises, LLC	
1316 English Road	
Old Bridge, NJ 08857	

(204) RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$26,190.00 to the TREASURER, STATE OF NEW JERSEY for the second quarter Construction Official's State permit fees for 2015.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton, New Jersey 08625-0802.

(205) WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for recreational improvements in the municipality, allowing each municipality the opportunity to address their specific need; and

WHEREAS, the Recreation Commission of the Town of Westfield has determined that there is a need for bleacher replacement throughout the Town of Westfield; and

WHEREAS, matching funds in the amount of \$85,785.00 will be certified by the Chief Financial Officer to be charged to account #5-600-076.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a “Kids Recreation Trust Fund” grant in the amount of \$85,785.00.

BE IT FUTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

(206) WHEREAS, the Governing Body of the Town of Westfield, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29c, may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative as well as Federal Supply Schedules; and

WHEREAS, the Governing Body of the Town of Westfield has the need on a timely basis to purchase goods or services utilizing the Federal Supply Schedules; and

WHEREAS, the Fire Chief has recommended that the Town use H-GAC Cooperative Purchasing for the purchase of Fire Equipment; and

WHEREAS, any purchase made by the Town of Westfield, through this Resolution shall be subject to the conditions applicable to the current National Cooperative;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Westfield that it hereby authorizes the Chief Financial Officer and/or the Town Administrator to purchase certain goods or services through H-GAC Cooperative Purchasing Program pursuant to all conditions of the National Intergovernmental Purchasing Alliance Cooperative; and

BE IT FURTHER RESOLVED that the Town Administrator is hereby authorized to sign the Interlocal Contract between the Town of Westfield and H-GAC.

(207) WHEREAS, Liy H. Tsai filed for retirement as Chief Financial Officer-Treasurer of the Town of Westfield, after twenty-eight years of service; and

WHEREAS, N.J.S.A. 40A:9-140.13 states that no person shall be appointed or reappointed as a chief financial officer unless he holds a municipal finance officer certificate issued pursuant to the provisions of P.L. 1971, c.413 (C.40A:9-140.1 et seq.) or this act; and

WHEREAS, in accordance with the provisions of the Town Charter, the Town Administrator has proposed the appointment of Scott Olsen as their Chief Financial Officer-Treasurer subject to the approval of the Mayor and Town Council; and

WHEREAS, Scott Olsen has the CMFO certification necessary to be appointed as the Town of Westfield's Municipal Chief Financial Officer-Treasurer;

NOW, THEREFORE, BE IT RESOLVED that Scott Olsen is hereby appointed to fill the unexpired term of Chief Financial Officer-Treasurer of the Town of Westfield effective July 13, 2015.

(208) RESOLVED, that the Chief Finance Officer be authorized to refund the following fees to the following individuals:

Name	Account	Class	Fee
Deirdre Noack 214 North Euclid Ave. Westfield, NJ 07090	T05-600-071	Golf Squirts Camp Sean Noack	\$65.00
Chunxia Cheng 528 Birch Ave Westfield, NJ 07090	T05-600-071	Golf Academy Katie Sun	\$150.00
Heather Bloch 756 Oak Ave. Westfield, NJ 07090	T05-600-071	Golf Squirts Camp Ryan Bloch	\$65.00
Jennifer Miller 3 Breeze Knoll Drive Westfield, NJ 07090	T05-600-073	Volleyball Camp Katie (Pro-Rated)	\$30.00
Emily Wistner 318 Hyslip Ave. Westfield, NJ 07090	T05-600-073	Volleyball Camp Emily	\$120.00
Susan Whitelocke 927 Prospect St. Westfield, NJ 07090	Pool Membership Account -195	Membership Individual to Senior	\$90.00
Susan Callaghan 709 Carleton Road Westfield, NJ 07090	T05-600-071	Playground Camp Erica – broke wrist	\$80.00
Nicole Vaccaro 34 Faulkner Drive Westfield, NJ 07090	T05-600-073	Football Camp Luke	\$90.00

Rose Rosetti 1200 Lawrence Ave. Westfield, NJ 07090	T05-600-073	Golf Academy Chris	\$150.00
Gineball Palles 609 West Broad St. Westfield, NJ 07090	T05-600-073	Flag Football Camp Peter	\$90.00
Shawn Goldstein 825 Wallberg Ave. Westfield, NJ 07090	T05-600-073	Basketball Camp Jake	\$100.00

(209) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$875.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of April-June 2015.

(210) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$10.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box 370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of April-June 2015.

(211) WHEREAS, John and Janet Burchett, made an application for a construction permit for a standby generator located at 896 Highland Avenue, Block 503, Lot 8, Westfield, New Jersey.

WHEREAS, John and Janet Burchett, remitted \$330.00 for aforesaid permit.

WHEREAS, John and Janet Burchett, subsequently requested not to do the above mentioned project.

WHEREAS, John and Janet Burchett, has made an application for refund of eighty percent (80%) of permit fee.

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer be, and hereby is authorized to draw a warrant in the sum of \$264.00 payable to John and Janet Burchett, 896 Highland Avenue, Westfield, NJ 07090.

(212) BE IT RESOLVED that the Town Attorney is hereby authorized to sign a Stipulation of Settlement, pursuant to which the assessment for the property located at 154 East Broad Street (Block 3105, Lot 11) (a) for the years 2010 and 2011 shall remain

at \$566,000.00, (b) for the year 2012 shall be \$446,100.00, (c) for the year 2013 shall be \$566,000.00, and (d) for the years 2014 and 2015, shall be \$661,200.00.

(213) BE IT RESOLVED that the Town Attorney is hereby authorized to sign a Stipulation of Settlement, pursuant to which the assessment for the property located at 435 North Avenue West (Block 3103, Lot 3) (a) for the year 2010 shall be changed to \$794,000.00, (b) for the year 2011 shall be changed to \$761,200.00, (c) for the year 2012 shall be changed to \$740,700.00, (d) for the year 2013 shall be changed to \$775,000.00, and (e) for the years 2014 and 2015 shall be changed to \$790,000.00.

(214) RESOLVED that the Chief Financial Officer be and she hereby is authorized to draw warrants to the following persons, this amount being overpaid for 2013 and 2014:

BLOCK AND LOT

NAME AND ADDRESS	PROPERTY	YEAR	AMOUNT
406/23 BEN-HAYON, Ellan & Erin	17 Breeze Knoll Drive	2013	\$253.42
1001/24 LYNCH, Mark & Kathleen	157 Lincoln Road	2014	\$ 44.28

(215) WHEREAS, All County Sewer & Drain Service placed the required cash bond of \$500.00 to cover the Street Opening Permit #14-220 for 520 Lenox Avenue, and

WHEREAS, All County Sewer & Drain Service has requested that this amount be returned to them, and

WHEREAS, the Town Engineer, has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of All County Sewer & Drain Service for \$500.00 and forward to 10 Bonnell Street, Chatham, NJ 07928.

(216) Council Member Della Fera introduced and moved the adoption of the following resolution and Council Member LoGrippe seconded the motion:

RESOLUTION AUTHORIZING THE PUBLICATION,
PRINTING AND DISTRIBUTION OF A NOTICE OF
SALE AND THE PUBLICATION OF A SUMMARY
NOTICE OF SALE AND PRESCRIBING THE FORMS
THEREOF FOR \$9,159,000 GENERAL IMPROVEMENT

BONDS, DATED AUGUST 15, 2015, APPROVING THE PREPARATION, DISTRIBUTION AND EXECUTION OF A PRELIMINARY AND A FINAL OFFICIAL STATEMENT FOR SUCH BONDS, UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE OF FINANCIAL INFORMATION, COVENANTING TO COMPLY WITH THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, DESIGNATING SUCH BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" FOR PURPOSES OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND AUTHORIZING VARIOUS MATTERS IN CONNECTION WITH ELECTRONIC BIDDING FOR THE BONDS

WHEREAS, the Town Council of the Town of Westfield, in the County of Union, New Jersey (the "Town"), desires to make further provision for the issuance of \$9,159,000 General Improvement Bonds (the "Bonds"), which are to be issued pursuant to bond ordinances heretofore adopted by the Town Council; NOW, THEREFORE,

BE IT RESOLVED by the Town Council of the Town of Westfield, in the County of Union, as follows:

Section 1. A Notice of Sale (the "Full Notice of Sale") shall be published and printed and inserted in the Preliminary Official Statement (as hereinafter defined) for distribution in substantially the following form:

NOTICE OF SALE
TOWN OF WESTFIELD,
IN THE COUNTY OF UNION, NEW JERSEY

\$9,159,000 GENERAL IMPROVEMENT BONDS

(Book-Entry Only) (Bank-Qualified)
(Non-Callable) (Parity Bid)

dated
August 15, 2015

The Town of Westfield, in the County of Union, a municipal corporation of the State of New Jersey (the "Town"), hereby invites ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS for the purchase of its \$9,159,000 General Improvement Bonds, dated August 15, 2015 (the "Bonds").

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received and publicly opened and announced by the Chief Financial Officer in the Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, on August 6, 2015 at 11:00 o'clock A.M. (local time).

The Bonds comprise an issue of bonds payable on August 15 in each year (without the right of prior redemption) as follows:

\$450,000 in the year 2016,
\$475,000 in the year 2017,
\$625,000 in the year 2018,
\$680,000 in the year 2019,
\$730,000 in the year 2020,
\$800,000 in the year 2021,
\$900,000 in each of the years 2022 to 2026, inclusive, and
\$899,000 in the year 2027.

To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds shall be issued in registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC") and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any integral multiple thereof (except for one odd piece in excess of \$5,000), with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The successful bidder, as a condition to delivery of the Bonds, shall be required to deposit the bond certificates with DTC, registered in the name of Cede & Co., its nominee. Interest on the Bonds will be payable on each February 15 and August 15, commencing February 15, 2016 (each, an "Interest Payment Date"), in each year until maturity, and principal of the Bonds will be payable, at maturity, by payment of immediately available funds by the Bond Registrar/Paying Agent to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest to participants of DTC will be the responsibility of DTC. Transfer of principal and interest to beneficial owners will be the responsibility of the DTC participants and other nominees of the beneficial owners. The Town will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Town determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Town will discontinue the book-entry system with DTC. If the Town fails to identify another qualified securities depository to replace DTC, the Town will deliver replacement bonds in the form of fully registered certificates.

The Bonds are general obligations of the Town and are secured by a pledge of the full faith and credit of the Town for the payment of the principal thereof and the interest

thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the Town without limitation as to rate or amount.

Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds bid for, and the rate or rates named must be a multiple of 1/8th or 1/20th of one percentum (1%). The interest payable with respect to each Bond on any one date will be evidenced by a single rate of interest. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. If more than one rate of interest is named, no interest rate named for any maturity may be less than the interest rate named for any prior maturity. Each proposal submitted must be for all of the Bonds offered and the purchase price specified must not be less than \$9,159,000 nor more than \$9,250,590. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest net interest cost, such net interest cost shall be computed, as to each bid, by adding to the total principal amount of Bonds bid for (which shall be all of the Bonds offered) the total interest cost to maturity in accordance with such bid and by deducting therefrom the amount of premium, if any, bid, which premium shall not exceed \$91,590 (1% of par). No proposal shall be considered which offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest net interest cost to the Town under any legally acceptable proposal. The Town reserves its right to reject all bids, and any bid not complying with the material terms of this notice will be rejected. The Town reserves the right to waive defects it deems non-material, in its sole discretion.

The successful bidder must pay accrued interest from the date of the Bonds to the date of delivery. No interest will be paid upon the deposit made by the successful bidder. The Bonds will be authenticated by the Chief Financial Officer, acting as Bond Registrar/Paying Agent for the Bonds.

Sealed proposals should be addressed to the undersigned Chief Financial Officer, and enclosed in a sealed envelope marked on the outside "Proposal for Bonds". A good faith deposit (the "Deposit") in the form of a cash wire or a certified, treasurer's or cashier's check drawn upon a bank or trust company in the amount of \$183,180, payable to the order of the TOWN OF WESTFIELD, is required for each bid to be considered. If a cash wire is used, the wire must be received by the Town no later than 11:00 A.M. on August 6, 2015. If a cash wire is utilized, each bidder must notify the Town of its intent to use such cash wire prior to 11:00 A.M. on August 6, 2015, and must provide proof of electronic transfer of such cash wire prior to 11:00 A.M. on August 6, 2015 (with return wiring instructions). Wire instructions for the Town can be obtained by contacting the Chief Financial Officer (Scott Olsen (908) 789-4097) or the Town's Bond Counsel (Steven Rogut or Peter Sandroni (908) 931-1150). If a check is used, it must accompany the bid or be received by the undersigned Chief Financial Officer prior to the opening of bids. Each bidder accepts responsibility for delivering such cash wire or check on time and the Town is not responsible for any cash wire or check that is not received on time. Checks or wires of unsuccessful bidders will be returned upon the award of the Bonds.

No interest on the Deposit will accrue to the successful bidder. The Deposit will be applied in part payment for the Bonds or to partially secure the Town from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made within two hours after opening of the bids, but such successful bidder may not withdraw its proposal until after 3:00 p.m. (local time) of the day of such bid-opening and then only if such award has not been made prior to the withdrawal.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Bonds in accordance with its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the Town; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the successful bidder.

The Bonds shall be delivered on or about August 20, 2015 at the office of Rogut McCarthy LLC, Cranford, New Jersey ("Bond Counsel"), or at such other place as may be determined by the successful bidder and the Town. **PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE IN IMMEDIATELY AVAILABLE FUNDS.**

A preliminary Official Statement has been prepared and is available at www.i-DealProspectus.com or may be obtained from the undersigned, Chief Financial Officer, Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, Telephone No. (908) 789-4097. The preliminary Official Statement is deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12"), but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The preliminary Official Statement, as so revised, will constitute the "final official statement". By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the final Official Statement within seven business days of the award of the Bonds. In order to complete the final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to Bond Counsel and the Town by facsimile transmission or overnight delivery received by Bond Counsel and the Town within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate and (d) any other material information necessary for the final Official Statement, but not known to the Town (such as the bidder's purchase of credit enhancement). It shall also be the obligation of the successful bidder to furnish to DTC an underwriter's questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

Concurrently with the delivery of the Bonds, the officials of the Town who will have executed the final Official Statement will deliver to the purchaser of the Bonds a certificate stating that, to the best of their knowledge, the preliminary Official Statement did not as of its date and as of the sale date, and the final Official Statement did not as of its date and does not as of the date of delivery of the Bonds, contain an untrue statement of a material fact or omit to state a material fact required to be included therein for the purpose for which the preliminary Official Statement or the final Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, provided such certificate shall not include consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds.

The Town has agreed in its bond resolution adopted on July 14, 2015 to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12, (i) not later than seven months after the end of the Town's fiscal year (presently December 31) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year (commencing with the fiscal year ending December 31, 2015), (ii) timely notice of the occurrence of certain material events with respect to the Bonds and (iii) timely notice of a failure by the Town to provide the required annual financial information on or before the date specified in (i) above.

The successful bidder's obligation to purchase the Bonds shall be conditioned upon its receiving, at or prior to the delivery of the Bonds, in form and substance reasonably satisfactory to the successful bidder, evidence that the Town has made the continuing disclosure undertaking set forth above in a written agreement or contract for the benefit of the Bondholders and the beneficial owners of the Bonds.

The approving legal opinion of Bond Counsel will be furnished without cost to the purchaser. The preliminary Official Statement contains a discussion of the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), with respect to the exclusion from gross income for Federal income tax purposes of the interest on the Bonds and a description of the opinion of Bond Counsel with respect thereto. The Town has covenanted, to the extent permitted by the Constitution and laws of the State of New Jersey, to comply with the provisions of the Code required to preserve the exclusion from gross income of interest on the Bonds for Federal income tax purposes. There will also be furnished the usual closing papers.

The Town has designated the Bonds "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code and will represent that it reasonably expects that neither it nor its subordinate entities will issue more than \$10,000,000 of new money tax-exempt obligations in 2015.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any

increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall also be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

The successful bidder will be required to furnish, prior to the delivery of the Bonds, a certificate acceptable to Bond Counsel setting forth information with respect to the Bonds including the "issue price" of the Bonds within the meaning of Section 1273 of the Code.

By order of the Town Council of the Town of Westfield, in the County of Union, New Jersey.

Dated: July 23, 2015

/s/ Scott Olsen
Chief Financial Officer
Town of Westfield
County of Union, New Jersey

Section 2. A Summary Notice of Sale ("Summary Notice of Sale") shall be published in substantially the following form:

SUMMARY NOTICE OF SALE

TOWN OF WESTFIELD,
IN THE COUNTY OF UNION,
NEW JERSEY
\$9,159,000 GENERAL IMPROVEMENT BONDS
(Book-Entry Only) (Bank-Qualified)
(Non-Callable) (Parity Bid)

dated
August 15, 2015

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received by the Chief Financial Officer of the Town of Westfield, in the County of Union, New Jersey (the "Town"), in the Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, on

August 6, 2015

at 11:00 o'clock A.M. (local time) at which time they will be publicly opened and announced, for the purchase of the Town's \$9,159,000 General Improvement Bonds dated August 15, 2015 and payable on August 15 in each year (without the right of prior redemption) as follows:

\$450,000 in the year 2016,
\$475,000 in the year 2017,
\$625,000 in the year 2018,
\$680,000 in the year 2019,
\$730,000 in the year 2020,
\$800,000 in the year 2021,
\$900,000 in each of the years 2022 to 2026, inclusive, and
\$899,000 in the year 2027.

The Bonds shall be issued in book-entry only form through the book-entry system operated by The Depository Trust Company, New York, New York. The full Notice of Sale (the "Notice of Sale") and Proposal for Bonds to be made available to interested persons should be reviewed by potential bidders for additional terms and conditions of the sale of the Bonds prior to bidding on the Bonds. To the extent any instructions or directions set forth in PARITY conflict with the Notice of Sale, the terms of the Notice of Sale shall control. For further information about PARITY, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds will bear interest from their date at a rate or rates of interest in multiples of 1/8th or 1/20th of 1% per annum (same or ascending rates and only one rate per maturity) specified by the successful bidder payable on each February 15 and August 15, commencing February 15, 2016, in each year until maturity. The purchase price specified must not be less than \$9,159,000 nor more than \$9,250,590 (par plus a maximum 1% premium). Each proposal must be for all the Bonds offered. As further described in the Notice of Sale, bidders must, at the time of making their bids, make a wire transfer or deposit a certified, cashier's or treasurer's check drawn upon a bank or trust company in the amount of \$183,180 to the order of the Town. The Bonds will be sold to the bidder specifying the lowest net interest cost in accordance with the terms set forth in the Notice of Sale. The Town will furnish the Bonds and the approving legal opinion of Rogut McCarthy LLC, Cranford, New Jersey, Bond Counsel.

The Bonds will be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Copies of the Preliminary Official Statement, the Notice of Sale and the Proposal for Bonds are available at www.i-DealProspectus.com or by contacting the undersigned Chief Financial Officer at the Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, Telephone No. (908) 789-4097.

By order of the Town Council of the Town of Westfield, in the County of Union, New Jersey.

Dated: July 23, 2015

/s/ Scott Olsen
Chief Financial Officer
Town of Westfield
County of Union, New Jersey

Section 3. The Town Clerk is hereby authorized and directed to publish (A) the Summary Notice of Sale in THE BOND BUYER, which is a publication carrying municipal bond notices and devoted primarily to the subject of State and municipal bonds, and is published in New York City, and (B) the Full Notice of Sale in The Westfield Leader, a newspaper of general circulation published in the County of Union and circulating in the Town. Said Summary Notice of Sale and Full Notice of Sale shall be published in each publication not later than one week before the date of the sale of said Bonds.

Section 4. The preparation of and distribution to potential bidders for the Bonds of a Preliminary Official Statement to be dated on or about July 23, 2015 is hereby approved. Such Preliminary Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12").

Section 5. The preparation of an Official Statement in connection with the sale of the Bonds to be dated on or about August 6, 2015 is hereby approved. Such Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12.

Section 6. The execution of the Official Statement by the Chief Financial Officer and the Town Clerk on behalf of the Town, the distribution of same to the successful bidder and the successful bidder's subsequent distribution of the Official Statement to purchasers or prospective purchasers of the Bonds are hereby authorized.

Section 7. The Town hereby agrees to undertake for the benefit of the Bondholders and the beneficial owners of the Bonds to provide certain secondary market disclosure information pursuant to Rule 15c2-12 to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format, as prescribed by the MSRB. Specifically, the Town will do the following for the benefit of the holders of the Bonds and the beneficial owners thereof:

(A) Not later than seven months after the end of the Town's fiscal year (presently December 31), commencing with the report for the fiscal year ending December 31, 2015, provide or cause to be provided annual financial information with respect to the Town consisting of (i) audited financial statements (or unaudited financial statements if audited financial statements are not then available by the date of filing, which audited financial statements will be delivered when and if available) of the Town and (ii) certain financial information and operating data consisting of (a) information concerning the Town's debt, overlapping indebtedness, tax rate, levy and collection data,

property valuation and fund balance of the type contained under the heading "Financial Information" in the Official Statement and (b) the Town's most recent adopted budget. The audited financial statements will be prepared in accordance with mandated State statutory accounting principles, as in effect from time to time. Audited financial statements if not available by the filing date will be submitted separately when available.

(B) Provide or cause to be provided in a timely manner not in excess of ten days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds:

- (1) Principal or interest payment delinquencies;
- (2) Non-payment related default, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of Bondholders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property which secures the repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Town (the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Town in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or

business of the Town, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Town);

- (13) The consummation of a merger, consolidation, or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(C) Provide or cause to be provided, in a timely manner, notice of a failure of the Town to provide required annual financial information on or before the date specified above.

Section 8. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

Section 9. If the Town fails to comply with the undertaking described above, any Bondholder or beneficial owner of the Bonds may pursue an action for specific performance to enforce the rights of all Bondholders and beneficial owners with respect to such undertaking; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds or any liability by the Town for monetary damages. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all Bondholders and beneficial owners of the Bonds.

Section 10. The Town reserves the right to terminate its obligation to provide annual financial information and notice of material events, as set forth above, if and when the Town no longer remains an "obligated person" with respect to the Bonds within the meaning of Rule 15c2-12.

Section 11. The undertaking may be amended by the Town from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, or change in the identity, nature, type of operation, or status of the Town, which in the opinion of nationally recognized bond counsel complies with Rule 15c2-12 and does not, in such bond counsel's opinion, materially impair the interest of the Bondholders and the beneficial owners of the Bonds.

Section 12. The Town hereby covenants, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and

things permitted by law and necessary to assure that interest paid on the Bonds be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

Section 13. The Town hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. It is hereby determined and stated that (1) the Bonds are not "private activity bonds" as defined in the Code and (2) the Town and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015. The Town will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Town does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 14. The Mayor, the Chief Financial Officer and the Town Clerk are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds including, without limitation, the execution and delivery of all closing documents and certificates.

Section 15. The Chief Financial Officer, the Town Clerk, the Bond Counsel, the Auditor and other Town officials and representatives are hereby authorized to take all necessary actions to allow for (A) the submission of electronic bids for the Bonds, (B) the electronic posting of the Preliminary Official Statement, the full Notice of Sale and the bid form and (C) the submission by bidders of a wire transfer in lieu of a good faith check.

Section 16. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

AYES: Arena, Neylan, LoGrippe, Foerst, Della Fera, Kimmins, Olivier,
Loughlin, Mayor Skibitsky

NAYS:

[SEAL]

ATTEST: _____
Town Clerk

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Foerst, Chairman of the Code Review & Town Property Committee, seconded by Councilman Della Fera were adopted with Councilman Foerst abstaining on resolution #223.

(217) WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishment listed has made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishment listed has met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants license to the establishment listed to operate sidewalk café and the Town Clerk be, and is hereby authorized to issue said license.

Carlos Bakery Westfield

21 East Broad Street

(218) RESOLVED that the applications for the following liquor license renewals be, and the same are hereby, granted effective July 1, 2015 subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et seq:

PLENARY RETAIL DISTRIBUTION LICENSES

Trader Joe's East Inc.
t/a Trader Joes

155 Elm Street

Thakorji Corporation
t/a Peterson's Wines Unlimited

1120 South Avenue West

Westfield Wines, LLC
t/a CoolVines Westfield

127 Central Avenue

PLENARY RETAIL CONSUMPTION LICENSES

Ahi Tuna Corporation
t/a Fujiyama Mama

341 South Avenue East

CLUB LICENSES

American Legion Incorporated

1003 North Avenue West

Martin Wallberg Post 3

Centennial Lodge No. 400 IBPOE of W

444 West Broad Street

(219) RESOLVED that the following application for Peddlers License be and the same is hereby approved:

Beverly Figueroa
Hot Dog Heaven
206 Myrtle Avenue
Westfield, NJ 07090

BE IT FURTHER RESOLVED that the license shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

(220) WHEREAS, Lisa and Adbramane Serme, made an application to the Town of Westfield to demolish a single-family dwelling located at 603 Cumberland Street, Block 2710, Lot 9, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling at 603 Cumberland Street, Block 2710, Lot 9, Westfield, New Jersey.

(221) WHEREAS, Anthony Buontempo, made an application to the Town of Westfield to Demolish a single-family dwelling located at 201 Baker Avenue (aka 717 Saunders Avenue), Block 2212, Lot 6, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling at 201 Baker Avenue (aka 717 Saunders Avenue), Block 2212, Lot 6, Westfield, New Jersey.

(222) WHEREAS, 1020 Ripley Avenue LLC, made an application to the Town of Westfield to demolish a single-family dwelling and shed located at 1020 Ripley Avenue, Block 4815, Lot 6, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling and shed at 1020 Ripley Avenue, Block 4815, Lot 6, Westfield, New Jersey.

(223) WHEREAS, Michael Mahoney LLC, made an application to the Town of Westfield to demolish a single-family dwelling and shed located at 609 Kensington Drive, Block 5206, Lot 19, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling and shed at 609 Kensington Drive, Block 5206, Lot 19, Westfield, New Jersey.

(224) WHEREAS, Dariusz Pajak and Anita Pajak, made an application to the Town of Westfield to demolish a single-family dwelling and shed located at 111 Greene Place, Block 4801, Lot 22, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling and shed at 111 Greene Place, Block 4801, Lot 22, Westfield, New Jersey.

(225) WHEREAS, Lisa and Adam Waldman, made an application to the Town of Westfield to demolish a single-family dwelling and shed located at 12 Bates Way, Block 4503, Lot 70, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application meets all requirements of General Ordinance No. 1386, relative to obtaining a demolition permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Westfield that approval is hereby granted, pursuant to final approval by Steve Freedman, Construction Official, to demolish a single-family dwelling and shed at 12 Bates Way, Block 4503, Lot 70, Westfield, New Jersey.

Public Works Committee

The following resolutions, introduced by Councilman Arena, Chairman of the Public Works Committee, seconded by Councilman Loughlin were unanimously adopted.

(226) WHEREAS, sealed bids were received by the Town Clerk on July 14, 2015 for the **2015 Townwide Thermoplastic Striping** in Westfield, New Jersey as authorized by S.O. 2203A and S.O. 2203B, and

WHEREAS, the low bid, in the amount of \$153,100.00, submitted by Dan Swayze & Son, Inc., 2351 Waldheim Avenue, Scotch Plains, NJ 07076 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2203A and S.O. 2203B.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$153,100.00 be awarded Dan Swayze & Son, Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.

(227) WHEREAS, sealed bids were received by the Town Clerk on July 14, 2015 for the **2015 Improvement of Lawrence Avenue** in Westfield, New Jersey as authorized by S.O. 2203A, and

WHEREAS, the low bid, in the amount of \$380,730.10 submitted by Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2203A.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$380,730.10 be awarded to Fischer Contracting Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents, and

BE IT FURTHER RESOLVED, that award of this contract is subject to concurrence of award from the New Jersey Department of Transportation.

Reports of Department Heads

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of and sewer \$1,778,647.57 during the period June 1, 2015 to June 30, 2015.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$190,090.00 for the month of June 2015 was received, read and ordered filed.

Report of David J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in June 2015 in the amount of 5,625.00 and \$596.00 Permit Fees was received, read and ordered filed.

Upon motion by Councilman Foerst, seconded by Councilman LoGrippo the meeting was adjourned at 8:11 p.m.

Claire J. Gray
Town Clerk